



PATENT  
ATTORNEY DOCKET: CELL 5.3 U.S.

Applicant or Patentee: Capon et al. Attorney's Docket No.:  
Serial or Patent No.: CELL 5.3 U.S.  
Filed or Issued: \_\_\_\_\_  
For: Chimeric Chains for Receptor-Associated Signal Transduction Pathways

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9(f) and 1.27(c)) - NONPROFIT ORGANIZATION**

I hereby declare that I am

- ☐ the owner or the small business concern below:  
☒ an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF CONCERN: The Regents of the University of California  
ADDRESS OF CONCERN: 1320 Harbor Bay Parkway, Suite 150, Alameda CA 94501

**TYPE OF ORGANIZATION**

- ☒ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION  
☒ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) AND 501(c) (3))  
☐ NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA (NAME OF STATE \_\_\_\_\_) (CITATION OF STATUTE \_\_\_\_\_)  
☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA (NAME OF STATE \_\_\_\_\_) (CITATION OF STATUTE \_\_\_\_\_)

I hereby declare that the above identified nonprofit organization qualifies as a nonprofit organization as defined in 13 CFR 1.9(e) for purposes of paying reduced fees to the Patent and Trademark Office under Section 41(a) or (b) of Title 35, United States Code, with regard to the invention entitled CHIMERIC CHAINS FOR RECEPTOR-ASSOCIATED SIGNAL TRANSDUCTION PATHWAYS by inventor(s) DANIEL J. CAPON; ARTHUR WEISS; BRIAN A. IRVING; MARGO R. ROBERTS; and KRISZTINA ZSEBO described in

- ☒ the specification filed herewith  
☐ application serial no. \_\_\_\_\_, filed \_\_\_\_\_  
☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization having rights to the invention listed below \* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). \*NOTE: Separate verified statements are required

from each named person, concern or organization having rights to the invention  
averring to their status as small entities. (37 CFR 1.27)

NAME: CELL GENESYS, INC.

ADDRESS: 322 Lakeside Drive, Foster City, CA 94404

☐ Individual ☒ Small Business Concern ☐ Nonprofit Organization

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change  
in status resulting in loss of entitlement to small entity status prior to paying, or at the  
time of paying, the earliest of the issue fee or any maintenance fee due after the date  
on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and  
that all statements made on information and belief are believed to be true; and further  
that these statements were made with the knowledge that willful false statements and  
the like so made are punishable by fine or imprisonment, or both, under Section 1001  
of Title 18 of the United States Code, and that such willful false statements may  
jeopardize the validity of the application, any patent issuing thereon, or any patent to  
which this verified statement is directed.

NAME OF PERSON SIGNING \_\_\_\_\_

TITLE IN ORGANIZATION \_\_\_\_\_

ADDRESS OF PERSON SIGNING \_\_\_\_\_

SIGNATURE \_\_\_\_\_

DATE \_\_\_\_\_

**DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: CHIMERIC CHAINS FOR RECEPTOR-ASSOCIATED SIGNAL TRANSDUCTION PATHWAYS the specification of which:

☒ is attached hereto.

☐ was filed on \_\_\_\_\_, and identified as Attorney Docket No. \_\_\_\_\_.

☐ was filed on \_\_\_\_\_, as Application Serial No. \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with title 37, code of Federal Regulations, Section 1.56(a).

I hereby claim foreign priority benefits under title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Applications (s)

Priority Claimed

PCT PCT/US91/09431 12/12/91  
(Country) (Number) (Day/Month/Year Filed)

Yes X No   

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 (a) which occurred between the filing date

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of the prior application and the national or PCT international filing date of this application:

<u>07/988,194</u>	<u>December 9, 1992</u>	<u>Pending</u>
(Application Serial No.)	(Filing Date)	(Status - patented, pending, abandoned)
<u>07/627,643</u>	<u>December 14, 1990</u>	<u>Abandoned</u>
(Application Serial No.)	(Filing Date)	(Status - patented, pending, abandoned)

I hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:  
SaraLynn Mandel, Reg. No. 31,853; Lucy J. Billings, Reg. No. 36,749.

Direct all telephone calls to SaraLynn Mandel at (415) 358-9600 ext. 345.

Address all correspondence to: SaraLynn Mandel  
Cell Genesys, Inc.  
322 Lakeside Drive  
Foster City, California 94404

File No. CELL 5.3

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of  
first inventor: DANIEL J. CAPON

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_

Residence: 90 Woodridge Road; Hillsborough, CA 94010

Citizenship: U.S.A.

Post Office Address: 90 Woodridge Road; Hillsborough, CA 94010

Full name of  
second inventor: ARTHUR WEISS

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_

Residence: 10 Vasco Drive; Mill Valley, CA 94941

Citizenship: U.S.A.  
Post Office Address: 10 Vasco Drive; Mill Valley, CA 94941

Full name of  
third inventor: BRIAN A. IRVING

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_

Residence: 587 Arkansas Street; San Francisco; CA 94017

Citizenship: U.S.A.

Post Office Address: 587 Arkansas Street; San Francisco; CA 94017

Full name of  
fourth inventor: MARGO R. ROBERTS

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_

Residence: 4062-1/2 23rd Street, San Francisco, CA 94114

Citizenship: England

Post Office Address: 4062-1/2 23rd Street, San Francisco, CA 94114

Full name of  
fifth inventor: KRISZTINA ZSEBO

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_

Residence: 200 Allen Road; Woodside, CA 94062

Citizenship: U.S.A.

Post Office Address: 200 Allen Road; Woodside, CA 94062

Applicant or Patentee: Dan Capon, et al. Attorney's Docket No.:  
Serial or Patent No.: \_\_\_\_\_ CELL 5.3  
Filed or Issued: \_\_\_\_\_  
For: CHIMERIC CHAINS FOR RECEPTOR-ASSOCIATED SIGNAL TRANSDUCTION PATHWAYS



**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am

☒ the owner or the small business concern below:  
☐ an official of the small business concern empowered to act on behalf of the  
concern identified below:

NAME OF CONCERN: Cell Genesys, Inc.  
ADDRESS OF CONCERN: 322 Lakeside Drive  
Foster City, California 94404

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the Patent and Trademark Office under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the person employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled CHIMERIC CHAINS FOR RECEPTOR-ASSOCIATED SIGNAL TRANSDUCTION PATHWAYS by inventor(s) DANIEL J. CAPON; ARTHUR WEISS; BRIAN A. IRVING; MARGO R. ROBERTS; and KRISZTINA ZSEBO described in

☒ the specification filed herewith  
☐ application serial no. \_\_\_\_\_, filed \_\_\_\_\_  
☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9 (e). \*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

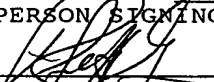
NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING R. Scott Greer  
TITLE IN ORGANIZATION Senior Vice President  
ADDRESS OF PERSON SIGNING 322 Lakeside Dr. Foster City CA 94404  
SIGNATURE  DATE May 5, 1994

Form 1.27  
1/89